

**CITY COUNCIL MEETING OF THE CITY COUNCIL OF THE CITY OF LEON VALLEY,  
TEXAS, MAY 18, 2010**

The City Council of the City of Leon Valley, Texas, met on the 18th day of May 2010 at 7:00 p.m. at the Leon Valley City Council Chambers, at 6400 El Verde Road, Leon Valley, Texas, for the purpose of the following business, to-wit:

**CANVASS OF THE ELECTION - 6:00 P.M.**

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**Call to Order.**

Mayor Riley called the meeting to Canvass the Election to order at 6:00 p.m. and asked that the minutes reflect that all the members of City Council were present: Garcia, Reyna, Dean, and Nelson. Mayor Riley announced Councilmember Baldrige would not be able to attend the meeting for the canvass.

City Manager Lambert, City Secretary Feutz, Fire Chief Irwin, and Assistant City Attorney Onion were also present.

**Canvass of the results of Leon Valley General Election of May 8, 2010.**

*Escrutinio de los resultados de las Elecciones Generales de Leon Valley del 8 de mayo del 2010.*

City Secretary Feutz presented each member of the Council with the unofficial election tabulation, the Bexar County Elections Administrator's canvass report and lists of voting statistics from the May 8, 2010 General Election. She reported to Council the General Election results as follows:

For the Mayor's race, Mayor Chris Riley was uncontested and received 466 votes during early voting, 142 on Election Day, and one vote from a late overseas mail or provisional voter for a total of 609 votes.

For the race for Council Place No. 2, Councilman Arthur "Art" Reyna was uncontested and received 391 votes during early voting, 121 votes on Election Day, and 1 vote from a late overseas mail or provisional voter for a total of 519 votes.

For the race for Council Place No. 4, Councilman Jack Dean was challenged by two opponents - Linda Barker and Abraham Diaz.

Councilman Jack Dean received 295 votes during early voting and 74 votes on Election Day for a total of 369 votes. Candidate Linda Barker received 46 votes during early voting and 16 votes on Election Day for a total of 62 votes. Candidate Abraham Diaz received 197 votes during early voting and 88 votes on Election Day for a total of 285 votes.

Ms. Feutz reported that as per the statistics provided by the Bexar County Elections Administrator for this canvass, there were 570 voters for early voting and 188 voters on Election Day and one ballot received from a late overseas/provisional voter for a total of 759 voters of the registered 6,767 voters registered in Leon Valley. She informed Council that the election results would be forwarded to the Secretary of State's office by Bexar County and that early voters at the Kinman House had again expressed their appreciation at not having to travel on Bandera Road and Loop 410 to access polling places.

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A brief discussion followed regarding the small number of voters in Precinct 3032 and the fact that those voters must travel to San Antonio to vote and whether the City may wish to request that Bluebird Lane addresses added to the precinct that covers the rest of Monte Robles subdivision which could also result in one less state representative representing citizens of Leon Valley. Ms. Feutz recommended that followup wait until after the 2010 census redistricting is finished.

A motion was made by Councilman Garcia, seconded by Councilman Reyna, to accept the election results as reported in the canvass for the Leon Valley General Election held May 8, 2010. Upon unanimous vote, Mayor Riley announced the motion carried.

**Adjourn.**

Hearing no further business, a motion was made by Councilman Reyna, seconded by Councilmember Nelson, to adjourn the meeting. Mayor Riley announced the meeting adjourned at 6:12 p.m.

**REGULAR CITY COUNCIL MEETING - 7:00 P.M.**

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**Call to order and Pledge of Allegiance.**

Mayor Riley called the Regular City Council Meeting to order at 7:00 p.m. and asked that the minutes reflect that all the members of City Council were present: Garcia, Reyna, Dean, Baldrige, Dean, and Nelson.

City Manager Lambert, City Secretary Feutz, City Accountant Wallace, Community Development Director Flores, Fire Chief Irwin, Police Chief Wallace, Public Works Director Vick, Assistant Public Works Director Stolz, Economic Development Director Ryan, Library Director Trent, HR Officer/Assistant City Secretary Caldera, and Assistant City Attorney Onion were also present.

Mayor Riley asked Councilman Dean to lead the assembled group in reciting the Pledge of Allegiance.

**Presentation of Certificates of Election by Mayor Riley and Mayor Pro Tem Baldrige.**

Mayor Pro Tem Baldrige announced that the election results from the May 8, 2010 General Election had been canvassed and accepted by the City Council. She presented the Certificate of Election to Mayor Chris Riley, who was re-elected as Mayor. Mayor Riley thanked the Mayor Pro Tem, the City Council, and the citizens for their support and stated that she looked forward to moving the City forward and working together with the citizens and the Council for another two years.

Mayor Riley presented the Certificate of Election to Councilman Art Reyna who was reelected to Council Place No. 2 for another two year term. Councilman Reyna thanked the Mayor for recognizing that the Council is focused on economic development and thanked the voters for their support and also his wife, Sylvia, for her support of his public pursuits.

Mayor Riley presented the Certificate of Election to Councilman Jack Dean who was reelected

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to Council Place No. 4 for another two-year term. Councilman Dean thanked the Mayor, Council, and to all who supported him and stated that he would continue to work to help the people and appreciated the voters support.

**Installation of elected members of City Council - Mayor Chris Riley, Council Place No. 2 - Arthur "Art" Reyna, and Council Place No. 4 - Jack Dean.**

Judge Paul H. Canales, from County Court #2, administered to Mayor Chris Riley, Council Place No. 2 Arthur "Art" Reyna, and Council Place No. 4 Jack Dean. After the swearing in ceremony, each of these elected signed their oaths of office.

The Mayor and Council thanked the Judge for his assistance.

**Presentation of Employee of the Month Award (City Manager Lambert).**

City Manager Lambert announced that he was departing from the regular course of action for this award, by awarding the Employee of the Month for May to Leon Valley Police Reserve Officer, a volunteer, Jennifer Peterson. Mr. Lambert recognized Officer Peterson's contribution most recently for being observant and noticing smoked from a home in Leon Valley while on routine patrol in the neighborhoods. He stated that her quick response to alert the Fire Department is credited for less extensive damage to the home. He presented the Employee Excellence award to Officer Peterson and thanked her for her service to Leon Valley.

Officer Peterson thanked the Council, the City Manager, and the Chief because she can work her full time job and still participate by helping out in the community as a police officer in her volunteer status.

Councilmember Nelson expressed her appreciation for her response in helping to saving her home from more severe damage during the house fire incident.

**Proclamation declaring the week of May 16 - 22, 2010 as Pet Responsibility Week in Leon Valley (Mayor Riley/ACO R. Williams)**

Mayor Riley proclaimed the week of May 16, 2010 as "Pet Responsibility Week in Leon Valley" and urged all citizens to remember that being a pet guardian and owner is both a privilege and a life commitment. She presented the proclamation to Animal Control Officer Ricky William.

Mr. Williams announced that the rained out pet parade, scheduled for May 15, 2010, has been rescheduled to Saturday, June 5, 2010 from 10:00 a.m. - 1:00 p.m. at the Community and Conference Centers. He invited everyone to come and participate in the pet parade for an event with pets, prizes, food and family fun. He encouraged everyone to think of every week as "Pet Responsibility Week."

**Citizens to be heard and time for objections to the Consent Agenda.**

Mayor Riley asked Councilmembers if they wished for anything on the Consent Agenda to be removed for further discussion. Councilman Garcia asked that Consent Agenda Item #12 be removed and Councilman Reyna asked that Agenda Item # 10 be removed for further discussion. Hearing no further objections to the Consent Agenda, Mayor Riley asked if anyone in the audience wished to speak for the "Citizens to be Heard" portion of the meeting.

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Resident Al Uvietta congratulated the members of Council re-elected and thanked them for their service. He also expressed his appreciation for the repair work done by the Public Works staff on a drainage channel. He described how the staff was innovative recycling old sidewalk sections to stabilize the creek channel banks. Mayor Riley thanked Mr. Uvietta for assisting with the apprehension of graffiti taggers recently in Leon Valley.

Seeing no one else come forward for the "Citizens to be heard" portion of the meeting, Mayor Riley asked for a motion to approve the following Consent Agenda items:

**Consent Agenda**

**Consider approval of the minutes for the Regular Council Meeting of May 4, 2010 (Feutz).**

**Consider M&C # 05-05-10 with attached ordinance - a request to approve a budget adjustment for the Fire Department to purchase EMS supplies and equipment from fund received for the 2010 Texas EMS/Trauma Systems Grant in the amount of \$6,036 (Irwin).**

**Consider M&C # 05-06-10 - a request by MW Cude Engineers for Preliminary Acceptance of Public Improvements of the Ridge at Leon Valley Unit #3, being Lots 21-44, Block 10, Lots 8-34, Block 13, and Lots 1-33, Block 14, CB 4429, The Ridge at Leon Valley Subdivision Unit #3. (Flores).**

**Consider action on M&C # 05-08-10 - a request to authorize the Mayor to enter an agreement with Bexar Metro 9-1-1 Network District for an emergency notification system (Chief Wallace).**

A motion was made by Councilman Reyna, seconded by Councilmember Nelson, to approve the Consent Agenda items as listed above. Upon unanimous vote, Mayor Riley announced the motion carried for Consent Agenda items # 7, 8, 9, and 11 - those listed above - were approved.

**Action Agenda**

**Consider M&C # 05-07-10 - a request to award of FY 2010 Water and Sanitary Sewer Improvements Project and authorize the City Manager to execute contract documents and change orders up to an additional 25% of the bid amount (Stolz).**

Assistant Director of Public Works Stolz addressed Council stating that the request was to authorize the City Manager to execute contract documents and award the bid for the FY 2010 water and sanitary sewer improvements project, with change orders up to an additional 25% of the bid amount. Mr. Stolz stated that three companies submitted formal bids as follows: RTM Construction for \$386,250, San Antonio Constructors for \$251,916.40, and Pipelayers Inc. For \$336,312. He explained that because the bid for San Antonio Constructors was so much lower than the other two bids, it had been rechecked and no problems were discovered. He also reported that the City had used San Antonio Constructors five times with good results in the past.

Following discussion, a motion was made by Councilman Reyna, seconded by Councilmember Baldrige, to approve the award of the bid for the FY 2010 water and sanitary sewer improvements project to San Antonio Constructors, LTD, as requested. Upon unanimous vote, Mayor Riley announced the motion carried.

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**Consider action on M&C # 05-09-10 with attached ordinance - a request to amend the City Code of Ordinances, Chapter 2 "Animal Control", Article 2.01 "General Provisions" by adding Section 2.01.016 "Animal Waste" and providing for a penalty of not less than one hundred dollars (\$100) nor more than one thousand dollars (\$1,000) (Flores).**

Community Development Director Flores addressed Council explaining that the proposed ordinance was in response to citizen requests and in response to a request by the Stormwater Management Consultant to support the best management practices of the City's Stormwater Management program. She explained that the new ordinance would require pet owners and handlers to remove or dispose of pet excreta deposited on any public or private property, not owned or occupied by the animal's owner or handler. Ms. Flores reported that the ordinance was developed after consultation with the City Attorney and it used the format of a similar ordinance in Boerne.

City Attorney Onion explained that the fine range was at the discretion of the City Council, and that the municipal judge has discretion on how much the fine will be based on his judgment. Mr. Onion also explained that the animal wastes are identified in the City Code under "non-point source pollution" as contributing to stormwater pollution,.

Following discussion, a motion was made by Councilmember Baldrige, seconded by Councilman Reyna, to accept the ordinance as proposed with a change to the fine to be no more than \$250 to \$500.

Discussion by Council considered whether the proposed fine was too high, how the ordinance would be enforced, whether pet waste on private property also contributed to stormwater pollution and whether an ordinance as proposed was legally required. Discussion continued about may be other contributors to non-point source pollution not addressed in the proposed ordinance and that may also may need to be managed. Council recommended that the ordinance be returned to the Stormwater Management Committee for review and further evaluation.

Both Councilmember Baldrige and Councilman Reyna withdrew their motions. No further motions were made for this agenda item. No action was taken on the proposed ordinance. Staff was directed to work with the Stormwater Management Committee with expediency to improve the pollutions to be controlled.

**Consider action on M&C # 05-10-10 with attached ordinance- a request to amend the City Code of Ordinances, Chapter 14, "Zoning Ordinance," Appendix C, "Sustainability Overlay District and Commercial and Industrial Overlay District Standards," to consider options for adding amendments to the "permitted use table," and/or "district boundaries," and/or "new district(s)" in relation to the use "Carwash-Custom Enclosed Tunnel," and provisions providing for a penalty of up to two thousand dollars (\$2,000) (Flores).**

Community Development Director Flores reviewed the history of a request to add the use "Carwash - Custom Enclosed Tunnel" to the Zoning Code. She reminded them that approval of the original request had been approved by Zoning Commission for inclusion in the B-2 and B-3 Zoning Districts with Specific Use Permits. She stated that Council had reviewed the case in April and had denied the request for the use to be added in the current Sustainability Overlay District but had asked staff to consider options that would review uses for all areas of the

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Sustainability Overlay that may not be in the Town Center.

Jim Carrillo, Halff Associates' Planning Director, reviewed the philosophy of the overlay district, the existing base zoning and overlay districts, and explained that the use carwash was not included in the Sustainability Overlay to try to reduce automobile uses in the overlay. Mr. Carrillo provided options that Council may want to consider for the northwest end of the city along Bandera Road in their redevelopment master plan evaluation and he reviewed the current zoning and uses and lot configurations of that area. He presented the following options for Council to consider and reviewed the pros and cons of each option: a) allow enclosed carwashes in Sustainability Overlay with the Specific Use Permit, b) allow enclosed carwash permitted with Specific Use Permit with the exception of the town center area, c) adjust the Sustainability Overlay zone to allow enclosed carwashes and other auto-oriented uses with a Specific Use Permit and create a new "Town Center Overlay" district that completely restricts auto-oriented uses, d) change the far-western part of Bandera Road to a Commercial/Industrial Overlay District, e) create a new "Gateway Overlay" district in proximity to the intersection of Bandera Road and Eckhert Road to allow the enclosed carwash, and f) don't change the overlay. He also reviewed the value of adding the use and what the anticipated value of the improvements could bring - of potential property tax revenue and minimal sales tax revenue.

Zoning Chairman Guerra reported that the Zoning Commission met on May 17, 2010 voted by 5 to 2 to recommend "Option F- No Changes" to the sustainability overlay in relation to the use "carwash-custom enclosed tunnel".

Councilmembers Garcia and Reyna questioned the change in the Zoning Commission's vote from their earlier approval of the use with a Specific Use Permit and why the Commission changed their vote to be against the use by voting to recommend no change to the sustainability overlay district. Chairman Guerra explained that one member had changed on the Commission who voted on the issue and he noted that the Commission considered the use in relation to the entire overlay and the area that would be affected. Councilman Reyna expressed his objections to the Commission's vote. Discussion continued regarding whether the sustainability overlay district should be changed so soon after its initial approval, the considerations of economic development with any decision, and whether the carwash use should be included within overall sustainability overlay district.

**A. Public Hearing**

Mayor Riley opened the public hearing at 8:45p.m. and invited anyone in the audience to speak to the Council on this case.

Developer Gerry Arredondo asked Council for their support in approving his unique carwash use for the property he intends to develop. Councilman Reyna moved, Councilman Garcia seconded the motion, to extend Mr. Arredondo's discussion time under the public hearing rules. Mr. Arredondo explained that his use would provide a buffer to industrial uses in San Antonio and would use undeveloped property that has laid dormant for some time.

Leslie Zavala, 934 Chicago Boulevard, spoke representing the developer for the carwash project and in favor of allowing the definition of a custom enclosed carwash tunnel in the overlay in a B-2 (Retail) or B-3 (Commercial) districts. She recommended that the best use for Council to approve would be Option A - adding the definition into the permitted use table of the Zoning Code and allow that use in the overlay district with a Specific Use Permit.

Businessman and resident Al Baldrige addressed Council voicing his support for denying the

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requested carwash use in the overlay district in which there are five existing carwash businesses and he recommended that the Council follow the recommendations of the Zoning Commission.

Mr. Arredondo again asked Council to support adding the new use he recommended of a custom enclosed tunnel carwash with a Specific Use Permit so that he can build his carwash project in the area that will provide buffer between the City of San Antonio's industrial development close to Bandera and Eckhert Road.

Hearing no other comments, Mayor Riley closed the public hearing at 9:17 p.m.

**B. Council to consider action on ordinance**

Councilman Garcia thanked the Zoning Commission for their work.

A motion was made by Councilman Reyna, seconded by Councilman Garcia, to adopt Option E - to create a new "gateway overlay" district and draw the boundary line from the intersection of Bandera Road and Eckert Road to south east side of the Ryan's Subdivision property line to allow the enclosed custom tunnel car wash.

Councilmember Nelson asked that this was the first start for the new gateway overlay district and that the extent of the uses for that new district will have to be determined along with the exact new district boundaries. Councilman Dean asked about the value of the use proposed by Mr. Arredondo that had originally been quoted at being valued at \$2,000,000, and Mr. Arredondo stated that he stood by his position.

Mr. Carrillo recommended that Council allow the new Gateway Zone Overlay district to be on both sides of Bandera Road for setting the property boundaries of the new overlay.

Councilman Reyna withdrew his motion and Councilman Garcia withdrew his motion. A new motion was made by Councilman Reyna to approve Option E to create a new "Gateway Overlay" district that will cover both sides of Bandera Road from Eckhert Road to the southeast line of the old Ryans' Steakhouse property and follow a straight line across Bandera Road to include both sides of Bandera Road. Mr. Carrillo asked for some flexibility in setting the exact new district boundary. Councilman Garcia seconded the motion. Councilmember Baldrige recommended that in setting the final boundary line of this new overlay that empty properties on either side of Bandera Road be considered. Councilman Reyna stated that this motion if approved will direct Mr. Carrillo to return to Council with his recommendations. Upon vote, Mayor Riley announced the motion carried.

Mayor Riley asked Council to recess for a short break. There were no objections and Council recessed beginning at 9:30 p.m. Mayor Riley reconvened Council at 9:38 p.m.

**Consider action on M&C # 05-11-10 with attached ordinance-a request to amend the City Code of Ordinances, Chapter 14, "Zoning Ordinance," Appendix C, "Sustainability Overlay District and Commercial and Industrial Overlay District Standards," Section F. "Signs," Subsection 2, "Proposed additions and changes to current standards," to add "k. sign variance procedures," and providing for a penalty of up to two thousand dollars (\$2,000). (Flores)**

Community Development Director Flores presented case information requesting that the City's zoning ordinance be amended to provide consistent treatment of all requests for variances to the

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City's sign requirements so that variances for signs located within the overlay zones will be processed as all other variances to the Sign Code. She stated that Council had asked for this amendment at their April 6, 2010 meeting. Ms. Flores explained that under the overlay standards in the zoning code, any variance request to the sign standards must now go through the Board of Adjustment whereas all other sign code variance requests are heard by the Council.

Zoning Commission Chairman Guerra reported that on May 17, 2010, the Zoning Commission recommended approval of the proposed changes to the City's zoning ordinance by a vote of 7 to 0.

**Public Hearing**

Mayor Riley opened the public hearing at 9:40 p.m. and invited anyone to come forward to address Council on the case.

Businessman and resident Al Baldrige spoke in favor of the proposed change.

Hearing no one else, Mayor Riley closed the public hearing at 9:41 p.m.

**B. Council to consider action on ordinance**

A motion was made by Councilmember Nelson, seconded by Councilmember Baldrige to approve the request to amend Chapter 14 "Zoning Ordinance" to allow the proposed changes to the sign variance procedures as presented. Upon vote, Mayor Riley announced the motion carried and the request was approved.

**Consider Specific Use Case #2010-265 with attached ordinance - a request by Guillermo Espinosa, applicant, to operate "Outdoor-Entertainment," specifically "soccer fields," in a B-1 (Small Business) zoning district, being the remaining portions of Lots 6 and 7, CB 4430, Leon Valley Homesites Subdivision, at the end of El Verde Road at Shadow Mist Drive. (Flores)**

Community Development Director Flores addressed Council on the Specific Use Permit Case details for Case # 2010-265 for a use "soccer field" to be allowed in a B-2 (Small Business) zoning district at the end of El Verde Road at Shadow Mist Drive. Ms. Flores reviewed the surrounding zoning and the history of the property and noted that although the proposed site design is appropriate, parking, drainage and lighting placement must be addressed prior to any building permit issuance. She also noted that Mr. Espinosa has challenging issues and permit requirements relating to floodplain and floodway development which must meet state and city laws also prior a building permit issuance. Ms. Flores reported that 19 letters were mailed to property owners within 200 feet of the property and one letter was returned in favor of the project and 1 letter was returned opposed to the project.

Ms. Flores showed site plan illustrations and photos depicting the proposed three soccer fields, site parking, bathrooms, and a canopy area. She reported that the applicant is in discussions to purchase additional easement property off Shadow Mist to allow for additional parking away from El Verde Road. She reported on the emergency gate that is closed at the end of El Verde Road but is accessible to the Fire Department in emergency evacuations.

Zoning Commission Chairman Guerra reported that on May 17, 2010, the Zoning Commission recommended approval of SUP#2010-265 with the following conditions: all lighting be hooded and directed away from residential areas and that light poles be no higher than the tree line along Shadow Mist and El Verde Roads; that the field lights are turned off by 9:30p.m.; that the property



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owner be responsible for removing trash, and that parking must be sufficiently addressed and is encouraged to be located away from residential areas.

Council discussed the continuance of emergency access but the Fire Chief stated that there is no evidence of an approved easement for emergency access across Mr. Espinosa's property for public safety. Council discussed safety, drainage ditches, parking and emergency access issues.

**A. Public Hearing**

Mayor Riley opened the public hearing at 10:00 p.m.

Applicant Guillermo Espinosa, addressed Council explaining his dream for these soccer fields for children to learn soccer and to provide a soccer academy for children.

Resident Jesse Barrera, 5809 El Verde, addressed Council expressing his opposition to the project that could bring more people into the neighborhood, might discriminate against children from areas outside of Leon Valley, and will need to be monitored to insure that lighting is turned off at 9:30 p.m. He asked Council to close all access from El Verde Road thru to Shadow Mist Drive.

Mayor Riley asked the Fire Chief if the access was still needed. Fire Chief Irwin explained that he estimates that the number of houses on that street will be reduced to 26 after the Bexar County flood control project is completed; therefore only one access is required by the fire code; however, Chief Irwin stated that this emergency access does provide important access for the Fire Department should Bandera Road become blocked for emergency services to leave El Verde Road.

Resident Paul Carter, 5709 El Verde Road, addressed Council expressing his concern for the El Verde Road neighborhood privacy and asked who owns the fence with the gate.

Resident Matthew Hodde, 5804 El Verde Road, asked Council to keep in mind potential problems such as lights, noise, vehicles cutting through El Verde Road to Shadow Mist, and parking on El Verde Road.

Resident Karen Weidlich, 6541 Charles Field, expressed her concerns about parking and traffic down the dead end of Shadow Mist Road. She spoke in favor of continuing the emergency access off El Verde Road to Shadow Mist.

Hearing no one else, Mayor Riley closed the public hearing at 10:35 p.m.

**B. Council to consider action on ordinance**

Council asked about the permanent closing of the emergency access gate from El Verde Road. Fire Chief Irwin stated that he cannot identify any recorded legal permission to use the access, but he reported that the access has been used to evacuate El Verde Road residents during flooding, and as an alternate route if Bandera Road is blocked so that emergency vehicles can still provide service and leave El Verde Road. Councilmember Dean stated that under public law if an area has been used as a public road, regardless of whether it is approved, it becomes a public road. City Attorney Onion stated that perhaps in the Specific Use Permit a clause could be added to allow for emergency use access use from El Verde to Shadow Mist.

Councilmember Baldrige stated that she knows that the emergency access from El Verde has been in existence for many years and that she thought that Council had voted on that access

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agreement in the past. She expressed her surprise that there documentation of such was not identified. Chief Irwin noted that the easement has been in existence for the 34 years he has been with the Leon Valley Fire Department.

Mr. Espinosa reported that an agreement was made years ago with the Fire Department that they could have the access if the Fire Department maintained the area. He reported that the area has not been maintained.

Councilman Reyna asked whether Council could modify the Specific Use Permit in the future if the City receives complaints, and City Attorney Onion replied that he did not have exact answer on that question but after the permit is issued and the project is built, he does not believe you can come in and then change the zoning order. Councilman Reyna suggested that Council could approve a zoning code change that would affect the whole city and that could change things.

A motion was made by Councilman Reyna, seconded by Councilmember Dean, to approve the Specific Use Permit with the requirements for all lighting be hooded and directed away from residential areas, parking areas be constructed with permeable surfaces; that the field lights are turned off by 9:30p.m.; that the use follow all other code requirements; that the emergency access for public safety be continued; and that parking must be sufficiently addressed and encouraged to be located away from residential areas. Upon vote, Mayor Riley announced the motion carried.

Community Development Director Flores stated that staff will work with Mr. Espinosa to meet the Specific Use Permit and to allow for the emergency access and the restrictions of the Specific Use Permit and the FEMA floodplain restrictions.

**Consider action on a resolution to be submitted to the Texas House of Representatives' Committee on Transportation asking for assistance on projects to be considered in the 82<sup>nd</sup> Legislative Session.**

Councilman Reyna recommended that this issue be postponed indefinitely until after the transportation engineer can review any available traffic studies for the area between Loop 410 and Loop 1604 such as ARMA, TxDOT, and the MPO.

A motion was made by Councilman Reyna, seconded by Councilmember Dean to postpone action on this resolution until after a traffic study can be completed. Upon vote, Mayor Riley announced that motion carried.

**Consider action on the appointment of the Mayor Pro Tem who will serve for a one-year term effective June 1, 2010 (Mayor Riley).**

Mayor Riley reviewed the past appointments of Mayor Pro Tem

A motion was made by Councilmember Dean, seconded by Councilmember Baldrige, to elect by acclamation Councilmember Cathy Nelson as Mayor Pro Tempore for a one-year term beginning June 1, 2010. Upon vote, Mayor Riley announced Mayor Pro Tem Cathy Nelson had been elected.

Due to the late hour, Mayor Riley asked if Council wished to postpone any other items on the agenda.

**Consider Resolution approving a City Tax Abatement Policy (Lambert).**

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A motion was made by Councilman Reyna, seconded by Councilmember Nelson, to postpone any consideration of the Tax Abatement Policy until the next Regular City Council Meeting, scheduled for June 1, 2010. Upon voter, Mayor Riley announced the item would be postponed.

**Discussion Agenda**

A motion was made by Councilman Reyna, seconded by Councilmember Dean, to postpone Agenda Items # 19 and #20 until the June 1, 2010 Regular City Council Meeting:

**Discussion of revisions to the Sign Code to further regulate the use of “flag signs” (Flores).**

**Discussion to consider options for a final report visit from the AIA’s Sustainable Design Assessment Team (SDAT) (Mayor Riley).**

Upon vote, Mayor Riley announced the motion carried.

**Discussion to consider legislative issues to be submitted for consideration by the 82<sup>nd</sup> Texas Legislative Session (Mayor Riley).**

Councilman Reyna reported that committee meetings on all legislative issues to be submitted to TML for the next legislative session, other than transportation issues, have passed. He reported that he will bring additional information to the next agenda for action to be considered.

A motion was made by Councilman Reyna to postpone this item until June 1, 2010 and for it to be an action agenda item, the motion was seconded by Councilman Garcia. Upon vote, the motion carried.

**City Manager’s report.**

A motion was made by Councilman Reyna, seconded by Councilmember Nelson, to postpone until June 1, 2010, any discussion on the **Financial Report for April 2010**. Upon vote, Mayor Riley announced the motion carried.

Mr. Lambert reminded everyone of a special meeting with a public hearing to be held on Saturday, May 22, 2010 at 9:00 a.m. at City Hall with Halff Associates Planning Director, Jim Carrillo, to discuss updates to the City’s Park Master Plan. He also reminded everyone of the meeting for May 20, 2010 for City Secretary interviews at 6:00 p.m.

**Trade and Market Committee members**

Mr. Lambert reported that he has not met with Trade and Market Day Committee members Lange and Harris, but he stated that it is his understanding that they feel that they are not being utilized or consulted about the Trade and Market Day. He also reported that the Economic Development Director has reported that she has no help and no committee member would take the Chair or Secretary positions for the Committee and is having to do all of it herself. He provided some options for Council in regards to this committee: go back to ten committee members to have a full committee, disband the committee and have staff do all the work, consider reducing the number of market days per year, or eliminate the Trade and Market Days committee altogether.

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Councilmember Nelson asked when meetings were announced, how they were announced, why no meetings were held since September 2009, and what meetings were posted. Councilman Dean asked that the City Manager report back to Council with his findings on the issue. Mayor Riley asked for help in recruiting additional committee members if the events continue.

**Citizens to be heard.**

Resident Nita Lange addressed Council and reported on the success of the Helotes Market Day. She stated that Trade and Market Day committee members are not recognized by staff.

**Announcements by Councilmembers and Mayor.**

Mayor Riley recommended that everyone read the announcements posted.

**A. Airport 2050 Master Plan Open House - Update - Councilman Garcia**

Councilman Garcia announced that the 2050 Airport Vision Plan will be presented at a public meeting on May 27, 2010 with news on the plans for the airport expansion.

**B. JLUS Meeting Update - Councilman Reyna**

**C. Leon Valley Community Pool Update - Councilmember Nelson**

**D. FOCA Pool Update - Councilmember Baldrige**

**E. Reminder of Beautification/Xeriscape Nominations due May 21<sup>st</sup>**

**F. Report on Metropolitan Planning Organization Meeting of May 17, 2010**

**Convene into executive session in accordance with the Texas Government Code, Section 551.074, "Personnel Matters" to discuss the selection of a City Secretary.**

A motion was made by Councilman Reyna, seconded by Councilmember Dean, to not convene into executive session. Upon vote, Mayor Riley announced the motion carried.

**Reconvene into open session and consider discussion and any actions as appropriate from executive session regarding "Personnel Matters" and the selection of a City Secretary.**

Not applicable.

**Adjourn.**

Hearing no further business, a motion was made by Councilman Dean, seconded by Councilmember Nelson, to adjourn the meeting. Mayor Riley announced the meeting adjourned at 11:12 p.m.

Chris Riley  
\_\_\_\_\_  
Mayor

ATTEST:

Marie Feutz  
\_\_\_\_\_  
City Secretary

*Approved by City Council's unanimous vote at the Regular City Council Meeting of June 1, 2010.*